

ORIGINAL

Before the  
COPYRIGHT ROYALTY TRIBUNAL  
Washington, D.C. 20036

In the Matter of )  
 ) CRT Docket No. 84-1  
1983 Cable Royalty )  
Distribution Proceeding )

NATIONAL PUBLIC RADIO'S RESERVATION OF OBJECTIONS  
CONCERNING RADIO TESTIMONY OF JOHN D. ABEL (NAB)

National Public Radio (NPR) wishes to reserve its right to object to the testimony of John D. Abel, a witness for the National Association of Broadcasters (NAB), with respect to the proportion of noncommercial versus commercial radio signals carried by cable systems on a distant basis. Mr. Abel's written testimony on this matter at pp. 36 and 37, we believe, seriously understates distant NPR signals. The apparent basis for Mr. Abel's testimony on this point, judging from responses by NAB to NPR's requests for documents, are samples of surveys conducted by NAB in connection with the 1979 and 1980 cable royalty proceedings. If it turns out during Mr. Abel's testimony that there is no other basis for his assertions on this question, NPR wishes to reserve the right to object to and move to strike those assertions because:

1. In that event, Mr. Abel would not be a competent witness to discuss or submit to cross-examination with respect to 1979 and 1980 surveys which he neither designed nor conducted;

2. In that event, Mr. Abel's assertions on these points would be based upon data that, whatever its other faults,

is three or four years out-of-date, having been compiled in 1979 and 1980.

Respectfully submitted,

*David O. Stewart*

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CERTIFICATION OF SERVICE

I, David O. Stewart, hereby certify that I have caused the foregoing Reservation of Objections Concerning Radio Testimony of John D. Abel (NAB) on Behalf of National Public Radio to be mailed, first-class, postage prepaid to the following counsel:

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Dated: May 29, 1985